



**MEMORANDUM**

**Planning Division – PZ Memo No. 16-071c**

**DATE:** NOVEMBER 16, 2016

**TO:** PLANNING AND ZONING COMMISSION

**THRU:** JEFF KURTZ, PLANNING ADMINISTRATOR  
KEVIN MAYO, PLANNING MANAGER *HA*

**FROM:** ERIK SWANSON, SENIOR CITY PLANNER *ES*

**SUBJECT:** APL14-0009 CARINO ESTATES AREA PLAN AMENDMENT/DVR14-0029/PPT16-0012 GERMANN COUNTRY GARDEN ESTATES (SERENADE)

**Request:** Area Plan Amendment to the Carino Estates Area Plan from Ranchette to Rural Residential, and rezoning from Agricultural (AG-1) to Planned Area Development (PAD) for single-family residential, with Preliminary Development Plan approval for subdivision layout and housing product and Preliminary Plat approval for a 6.7-acre, 16-lot single-family residential subdivision

**Location:** East of the southeast corner of Alma School and Germann roads

**Applicant:** Rod Jarvis, Earl, Curley & Lagarde

The request was continued from the November 2, 2016, Planning Commission hearing to allow the design team time to explore additional design elements.

**RECOMMENDATION**

Upon finding the request to be consistent with the General Plan, Planning Staff recommends approval with conditions.

**BACKGROUND**

The 6.7 acre subject site is located east of the southeast corner of Alma School and Germann roads and is designated as *Ranchette* within the Carino Estates Area Plan, and zoned as Agricultural (AG-1). The properties to the east and south share the same designations. Directly south of the site is a 20' irrigation easement with ranchettes south of the easement; west, is an existing Cobblestone carwash and fuel station. The Ranchette designation, while not defined within the Carino Estates Area Plan, generally range from approximately 2.2 acres up to 3.4 acres. The subject site includes three of the approximate 2.2 acre Ranchette parcels. The

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ranchettes (deemed as the Alma Ranchettes by area residents), is bounded by Germann and Alma School roads, Kingbird Drive on the south, and Hartford Street on the east, and encompasses 23 ranchette lots.

The Area Plan Amendment, Rezoning, and PDP requests extend back to 2013. With the initial submittal, the proposal included an additional ranchette lot to the east allowing for full-access movement. The proposal included 40 residential lots (47x110) with a density of 4.49 dwelling units per acre; the request stalled and never moved forward. In 2014, a new application was submitted that reduced the proposed subdivision to three of the ranchette lots and 28 residential lots (47x110) with a density of 4.18 units per acre. Approximately six months after the submittal, the applicants changed (homebuilder remained the same) and the site plan was updated, reducing the number of lots to 26. After additional work with specific neighbors, the case was withdrawn in July of 2015, to continue to explore design alternative and for the purpose of readvertising (updated housing product had also been submitted that was not complete). Prior to the public hearing withdrawing the case, the applicant submitted an updated site plan reducing the number of lots to 16 (75x120). The 16 lot plan was modified to the current proposal and provides an overall density of 2.4 dwelling units per acre.

#### **SITE LAYOUT AND ARCHITECTURE**

The proposal is for a gated 16-lot residential subdivision. Access to the site is provided roughly mid-point along the Germann Road frontage, and will be limited to right-in/right-out only movements; an emergency access drive is provided at the sites northwest corner. At the site's southeast corner a landscape tract is provided. The tract provides two options. The first is to continue the buffer to the properties to the south, the second option is that in the event that the property to the east seeks development the area can serve as an option for either an extension of the street system, or could serve as an emergency access point.

Buffering has been provided on the west and south boundaries through the inclusion of a landscape tract and roadway system. Additionally, through working with some of the neighbors, concerns were expressed regarding views into the ranchette properties to the south, resulting in all homes being reduced single-story and providing an eight-foot wall along the southern boundary.

Following the last continuance, the development team has re-evaluated how the subdivision fits the context of the broader area. In an effort to relate to the surrounding agricultural properties, the design team has incorporated elements within the subdivision to integrate with the surrounding area such as, renaming the subdivision to *Germann Country Garden Estates*, providing a more rustic agrarian design to the entry monument sign, providing a fence detail along the street frontage and within the subdivision that gives the appearance of a horse hitching post, planting in a symmetrical grove styled after agricultural row planting, including edible plants within the subdivision, and providing an area for community gardening.

Planning Staff has worked with the design team through the duration of the various subdivision iterations to provide housing stock that meets development standards. Lot size ranges from 8,845 up to 9,442 square feet. Three single-story plans are provided with three elevations per plan.



Square footage of the homes range from 2,476 square feet to 2,871 square feet. It is important to note that while standard side setbacks of 5' and 10' are provided, the width of the homes and width of the lots provide for the ability for 10' setbacks on each side. This will result in the potential for homes to have a minimum of 10' separation between them and a maximum of 30' of separation.

### **AREA PLAN AMENDMENT**

The site is currently zoned AG-1 and is designated as *Neighborhoods* in the recently adopted General Plan. The Carino Estates Area Plan further designates the site as *Ranchette*. The Carino Estates Area Plan was established in 1997, and encompasses the area bounded by Germann, Queen Creek, and Alma School roads, and Arizona Avenue. The request is to amend the area plan from *Ranchette* to *Rural Residential*. Planning Staff supports the Area Plan Amendment as outlined below in the *General Plan Conformance* and *Discussion* sections.

### **GENERAL PLAN CONFORMANCE**

As noted above, the site is designated as *Neighborhoods* in the General Plan. Five residential categories are provided in the *Neighborhoods* category ranging from Rural Residential (0-2.5 dwelling units per acre) to Urban Residential (18+ dwelling units per acre). Within the general plan there are a number of policies that provide guidance on community place making. The design team has provided elements that assist in meeting the criteria. The three policies directly relate to how development should occur when adjacent to established low-density residential neighborhoods. The first policy states the following:

1. *Protect the low-density residential character of large lot neighborhoods.*

The second and third policies build upon the first and state:

2. *Ensure compatible transition between residential areas and incompatible land uses as well as between intensity of land uses (e.g., between employment and residential).*
3. *Improve transition between and continuity of old and new neighborhoods.*

In an effort to protect the low-density residential character of large lot neighborhoods the developer has agreed to provide single-story homes throughout the subdivision. This combined with the buffer along the southern portion of the site and provided 8' wall, the buffer techniques provide spacing from three of the four lots that are adjacent to the subject site.

Addressing the second policy, when looking at the subject site and the compatibility with the land use to the west and to the east, a greater buffer was provided along the western property as the transition between a commercial use and residential use was deemed more necessary, then providing a transition between a low-density residential use and lower-density residential use.

Lastly, in improving transitions between and continuity of old and new neighborhoods there are a number of ways that this can be achieved. In this case, the design team has changed the name

to Germann Country Garden Estates, reflecting a more agrarian theme, provided elements that relate to the historical agricultural land use in the area, and by providing single-story homes.

### **DISCUSSION**

The subject site has had a long history in the evolution of design in both site layout and housing product. Planning Staff finds that the plan meets development standards and provides a subdivision design that acknowledges the historical agricultural uses in the area and the surrounding community.

### **PUBLIC / NEIGHBORHOOD NOTIFICATION**

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- As discussed in the *Background* section, the proposal has been modified a number of times. With the most current lot count (16 lots) two neighborhood meetings have been held this year. The site plan has been modified from what was shown at the neighborhood meeting by shifting the entrance from the eastern portion of the site to its current location. A combined total of 21 neighbors attended the two neighborhood meetings this year.
- Planning Staff has received the attached emails in opposition to the request, and one email in support of the request.
- The residents opposed to the request have participated in the neighborhood meeting processes throughout the evolution of the development starting in 2013. While some design elements have changed based on limited resident input (single-story, 8' wall), a majority of the opposition stated has been regarding lot sizes. Many of the neighbors find that the proposed design encroaches into the agrarian lifestyle that is currently enjoyed and believe that if this development is approved, development along the remaining portion of Germann Road is inevitable and the unique aspect of the Alma Ranchette neighborhood will be changed for the worse.

### **RECOMMENDED ACTIONS**

#### **Area Plan Amendment**

Planning Staff recommends Planning Commission motion to recommend approval of APL14-0009 CARINO ESTATES AREA PLAN AMENDMENT.

#### **Rezoning**

Planning Staff recommends Planning Commission motion to recommend approval of DVR14-0029 GERMANN COUNTRY GARDEN ESTATES (SERENADE), subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "GERMANN COUNTRY GARDEN ESTATES" and kept on file in the City of Chandler Planning Division, in File No.DVR14-0029, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.



3. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.
4. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual #4).
5. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
6. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.
7. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
8. Prior to the time of making any lot reservations or subsequent sales agreements, the homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby existing ranchette and animal privilege properties that may cause adverse noise, odors and other externalities. The "Public Subdivision Report", "Purchase Contracts", CC&R's, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to agricultural properties that have horse and animal privileges and shall state that such uses are legal and should be expected to continue indefinitely. This responsibility for notice rests with the homebuilder/lot developer, and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.

#### **Preliminary Development Plan**

Planning Staff recommends Planning Commission motion to recommend approval of DVR14-0029 GERMANN COUNTRY GARDEN ESTATES (SERENADE), subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "GERMANN COUNTRY GARDEN ESTATES" and kept on file in the City of Chandler Planning Division, in File No. DVR14-0029, modified by such conditions included at the

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time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.

2. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.
3. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
4. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.
5. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
6. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
7. All homes shall be limited to single-story.
8. An eight-foot block wall shall be provided along the southern boundary of the subdivision.

#### **Preliminary Plat**

Planning Staff recommends Planning Commission motion to recommend approval of Preliminary Plat PPT16-0012 GERMANN COUNTRY GARDEN ESTATES (SERENADE), subject to the following condition:

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.

#### **PROPOSED MOTIONS**

##### **Area Plan Amendment**

Motion Planning Commission to recommend approval of Area Plan Amendment APL14-0009 CARINO ESTATES AREA PLAN, amending the Area Plan from Ranchette to Rural Residential, as recommended by Planning Staff.

##### **Rezoning**

Motion Planning Commission to recommend approval of Rezoning DVR14-0029 GERMANN COUNTRY GARDEN ESTATES (SERENADE), Rezoning from AG-1 to PAD for single-family residential, as recommended by Planning Staff.



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**Preliminary Development Plan**

Motion Planning Commission to recommend approval of Preliminary Development Plan DVR14-0029 GERMANN COUNTRY GARDEN ESTATES (SERENADE), for site layout and building architecture, as recommended by Planning Staff.

**Preliminary Plat**

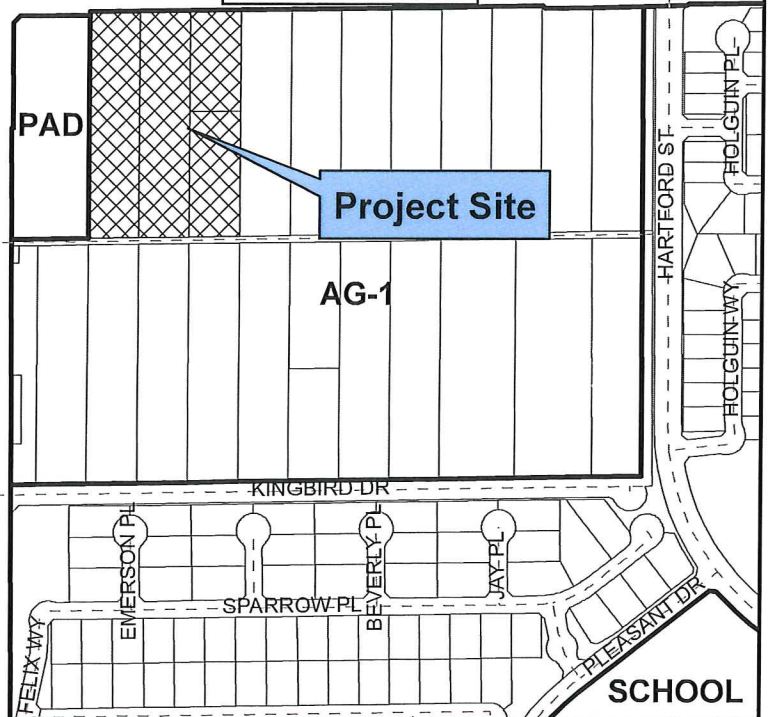
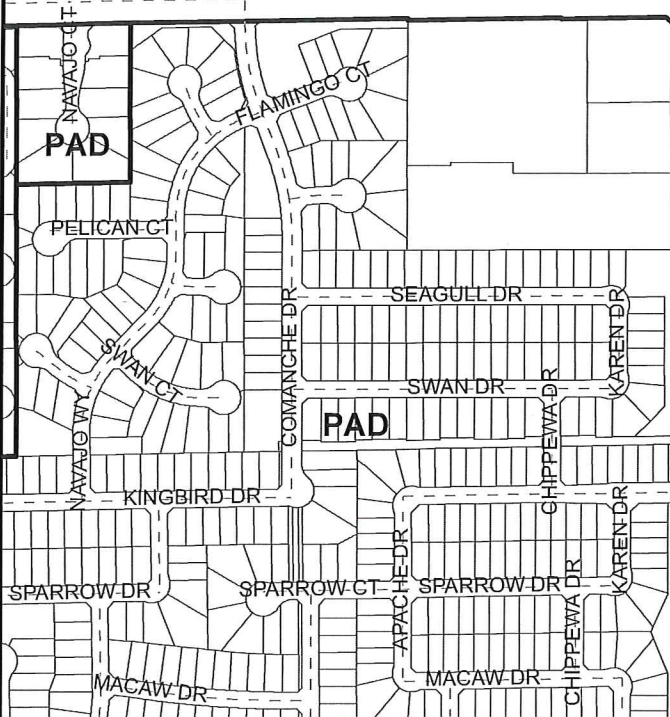
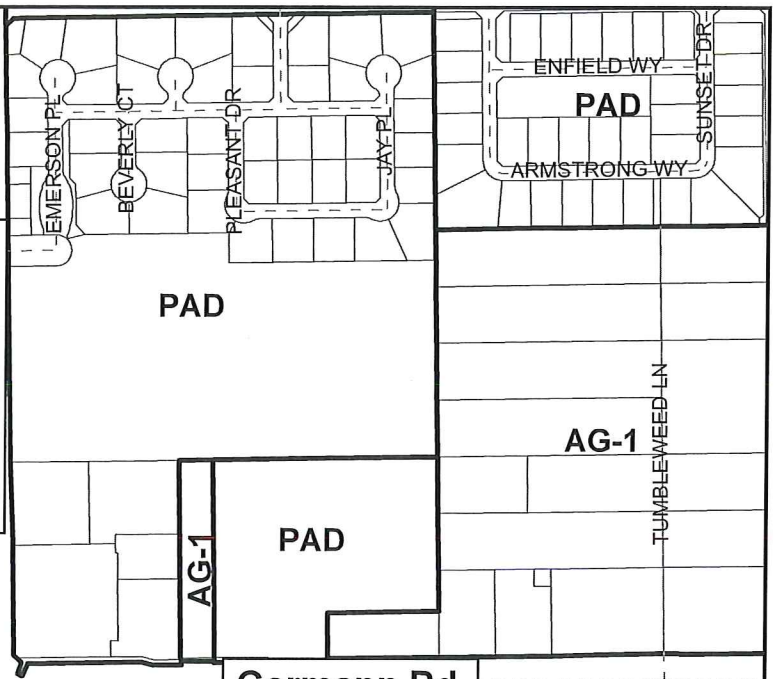
Motion Planning Commission to recommend approval of Preliminary Plat PPT16-0012 GERMANN COUNTRY GARDEN ESTATES (SERENADE), approval for a 16-lot single-family residential subdivision, as recommended by Planning Staff.

**Attachments**

1. Vicinity Maps
2. Site Plan
3. Landscape Plan
4. Carino Estates Area Plan
5. Representative Elevations
6. Representative Floor Plan
7. Emails in Opposition
8. Email in Support
9. Preliminary Plat
10. Development Booklet



Alma School Rd.



Germann Rd.

## Vicinity Map



DVR14-0029

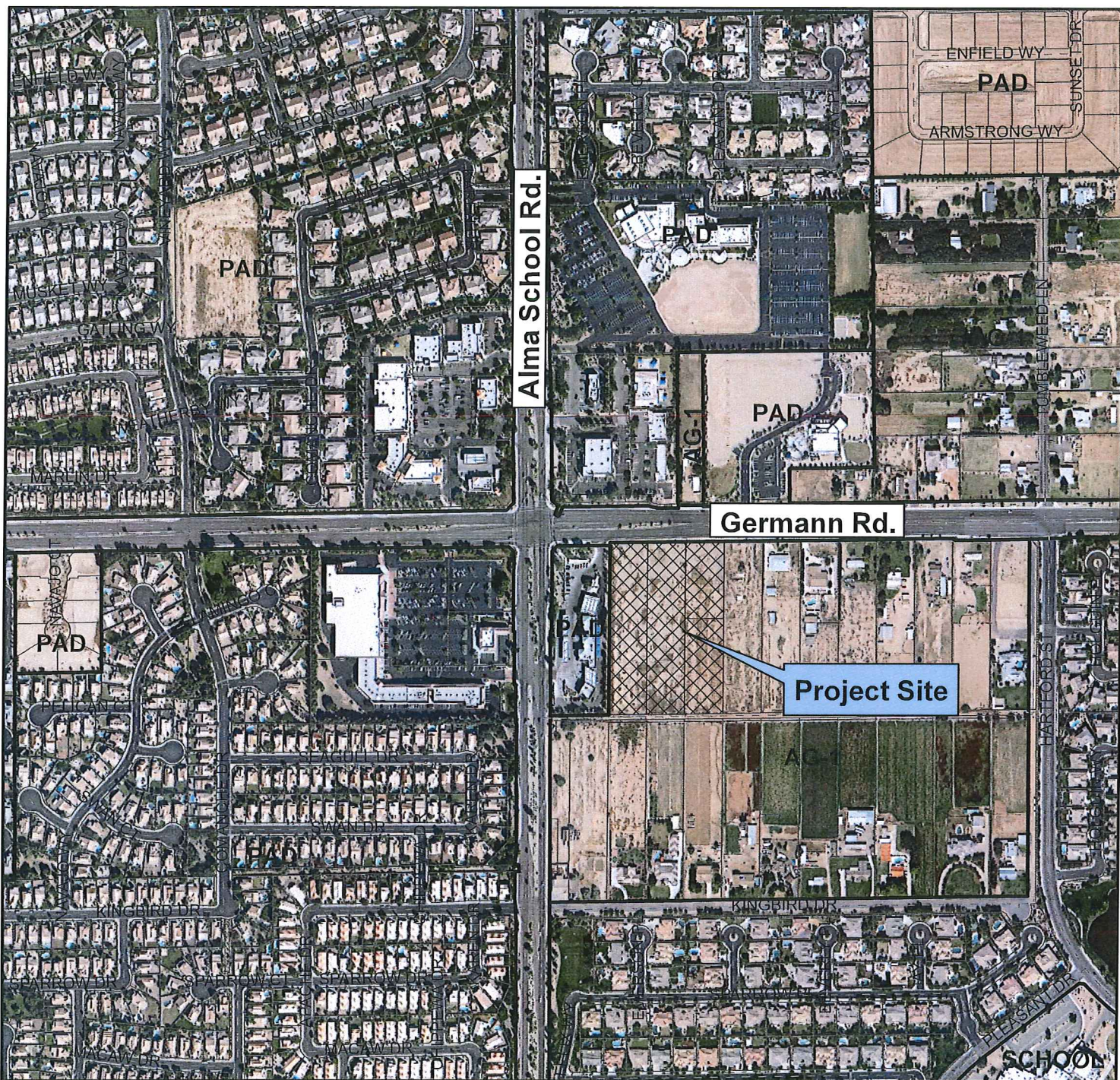
Serenade



Chandler, Arizona  
Where Values Make The Difference

CITY OF CHANDLER 8/21/2014





Alma School Rd.

Germann Rd.

Project Site

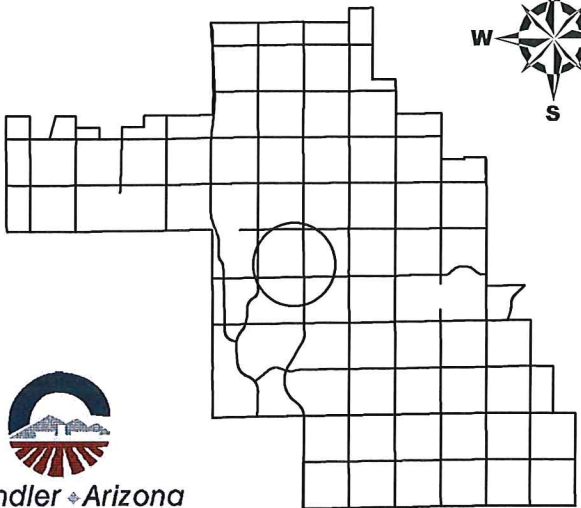
SCHOOL

## Vicinity Map



DVR14-0029

Serenade



Chandler • Arizona  
Where Values Make The Difference

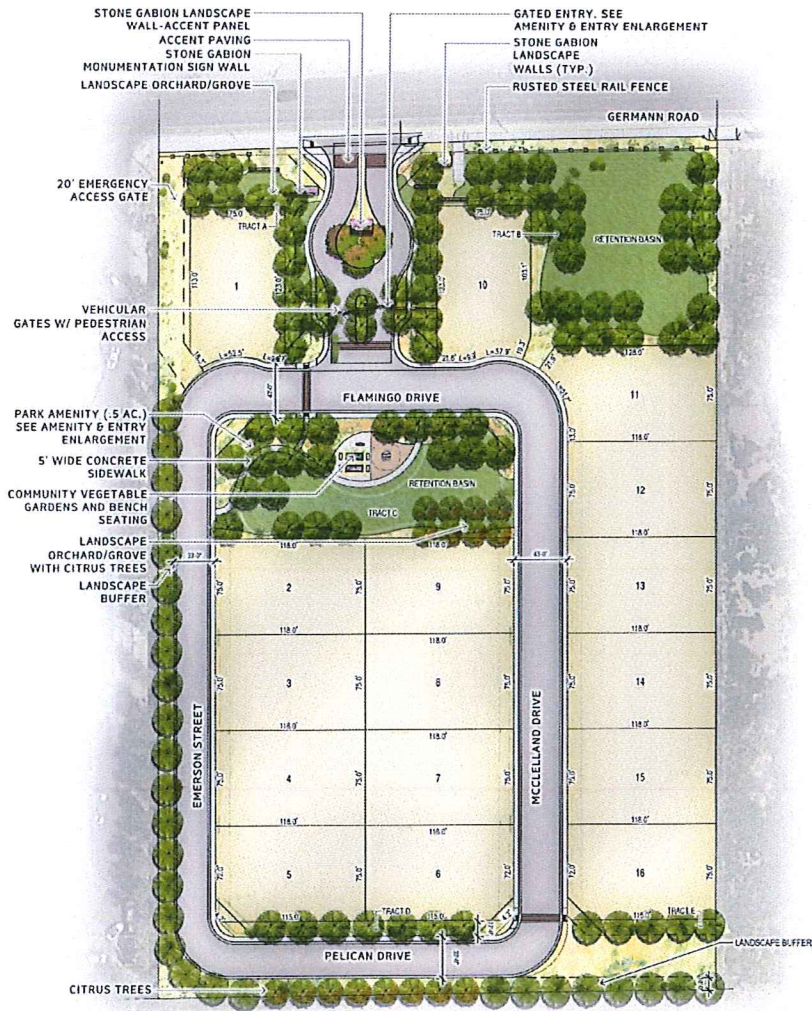




## Germann Country Garden Estates

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### GERMANN COUNTRY GARDEN ESTATES

Site Plan

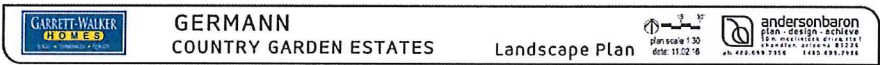
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date 11-02-16

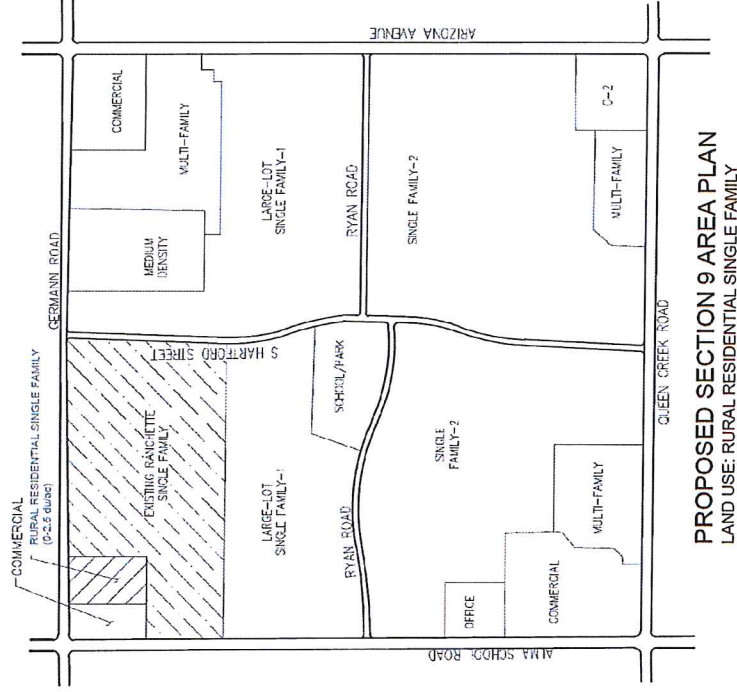
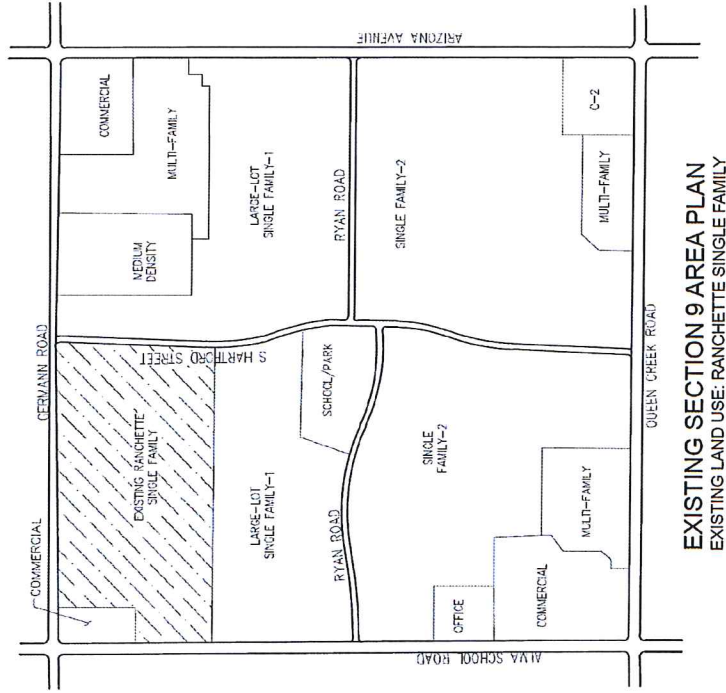


andersonbaron  
civil design architect  
1211 WESTMINSTER DRIVE, SUITE 100  
FARMINGTON, CONNECTICUT 06030  
860.442.8800 FAX 860.442.8801



*Germain Country Garden Estates*





Existing and Proposed Area Plan Maps





Germann Country Garden Estates

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**GARRETT-WALKER  
HOMES**  
DOH - DRELAND - QUALITY  
WWW.GWHAZ.COM

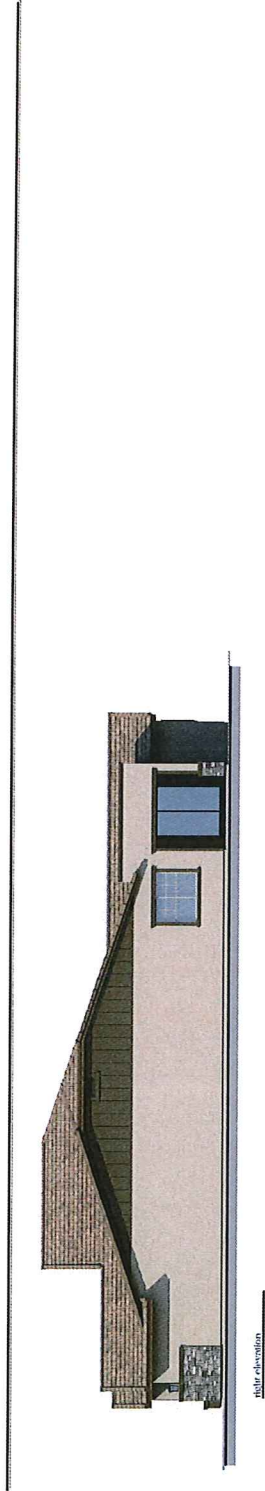
1838 WEST PARKSIDE LANE  
SUITE 200  
PHOENIX, ARIZONA 85027  
PHOTOGRAPHY BY  
WWW.GWHAZ.COM

PLAN 55-2900  
CRAFTSMAN

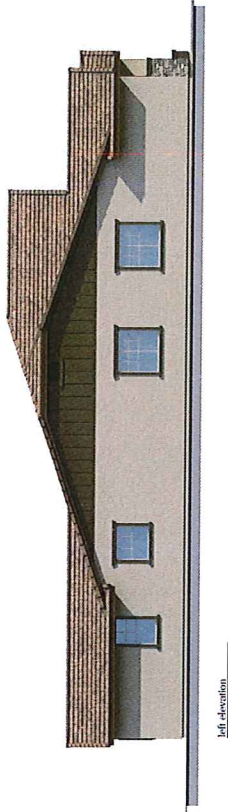
*Germann Country Garden Estates*

CHANDLER, ARIZONA

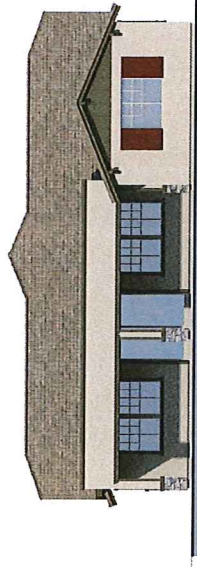
JULY 11, 2016



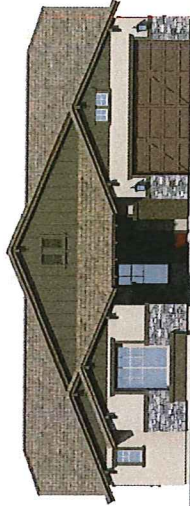
Rear elevation



Left elevation



Four elevation



Front elevation

**GARRETT-WALKER**  
**HOUSES**  
LOCAL • DEDICATED • QUALITY

1838 WEST PARKSIDE LANE  
SUITE 200  
PHOENIX, ARIZONA 85027  
480-607-6380  
WWW.GWHIAZ.COM

PLAN 55-2900  
CRAFTSMAN

*Germann Country Garden Estates*  
CHANDLER, ARIZONA  
JULY 11, 2016



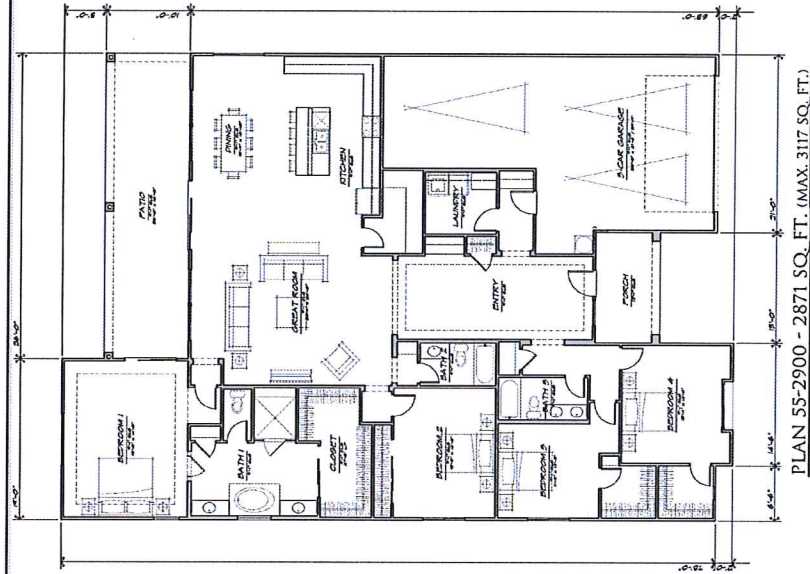


Garrett-Walker  
GERARD

Garrett-Walker  
GERARD

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PLAN 55-2900 - 2871 SQ. FT. (MAX. 3117 SQ. FT.)

1838 WEST PARKSIDE LANE  
SUITE 200  
PHOENIX, ARIZONA 85027  
480-607-6880  
WWW.GWHZ.COM



PLAN 55-2900

Garrett-Walker  
GERARD

Garrett-Walker  
GERARD



Re: Proposed Zoning Changes for part of Alma Ranchettes  
Scott Waldron  
to:  
Erik.Swanson  
09/20/2016 11:01 AM  
Hide Details  
From: Scott Waldron <[scottwaldo@comcast.net](mailto:scottwaldo@comcast.net)>  
To: Erik.Swanson@chandleraz.gov

Erik,

I remind you of the email that I sent to the Mayor, City Council and the Planning Commission in March of this year. I want to reiterate the points of concern and what would be my side of argument on the reasons for my protest. Our rural island of ranchettes is under attack, and Bobbi and I remain opposed to the change of zoning.

We have to leave here on the morning of October 5th for an out of state commitment on the 6th. Otherwise, we would be in attendance at the meeting of the Planning Commission on the evening of the 5th.

Thank you for your attention to this matter.

Scott Waldron  
Bobbi Waldron

On Mar 28, 2016, at 3:26 PM, [Erik.Swanson@chandleraz.gov](mailto:Erik.Swanson@chandleraz.gov) wrote:

Thank you Mr. Waldron for your comments. I will add them to the zoning file.

Sincerely,

Erik Swanson, Senior City Planner  
Planning Division  
City of Chandler  
ph: 480.782.3063

From: Scott Waldron <[scottwaldo@comcast.net](mailto:scottwaldo@comcast.net)>  
To: [mayor&council@chandleraz.gov](mailto:mayor&council@chandleraz.gov), [Jay.Tibshraeny@chandleraz.gov](mailto:Jay.Tibshraeny@chandleraz.gov), [Nora.Ellen@chandleraz.gov](mailto:Nora.Ellen@chandleraz.gov),  
[Kevin.Hartke@chandleraz.gov](mailto:Kevin.Hartke@chandleraz.gov), [Rick.Heumann@chandleraz.gov](mailto:Rick.Heumann@chandleraz.gov), [Rene.Lopez@chandleraz.gov](mailto:Rene.Lopez@chandleraz.gov), [Terry.Roe@chandleraz.gov](mailto:Terry.Roe@chandleraz.gov),  
[Jack.Sellers@chandleraz.gov](mailto:Jack.Sellers@chandleraz.gov)  
Cc: [Erik.Swanson@chandleraz.gov](mailto:Erik.Swanson@chandleraz.gov), [Dave.Bigos@chandleraz.gov](mailto:Dave.Bigos@chandleraz.gov), [Jeff.Kurtz@chandleraz.gov](mailto:Jeff.Kurtz@chandleraz.gov)  
Date: 03/28/2016 01:58 PM  
Subject: Proposed Zoning Changes for part of Alma Ranchettes

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The Honorable Mayor and City Council of the City of Chandler,

I am the owner of the property at 711 W Germann, in the Alma Ranchette Neighborhood. I am very concerned with the proposed changes to the area plan and the zoning requested by the developer and its attorneys in application numbers APL14-0009 and DVR14-0029 for a subdivision on the northwest corner of our neighborhood.

**I oppose these proposed actions by the City and its staff and would ask that this objection be added to the files in both of these applications.**

I purchased my property almost a year ago, and while I was in contract learned that the proposals covered by these applications were essentially dead. Now that they have resurfaced with a proposal for a fewer number of homes, the reasons for not approving the changes to the area plan and zoning have not evaporated but are still valid as reasons to not approve the changes now. My personal investment here in the ranchettes is greater than that of the would be developer, now exceeding \$1.2 Million; and so, I have a valid economic stake here that trumps that of the developer.

The developer/applicant can utilize the property under the existing zoning just like everyone else in the ranchette neighborhood is bound to and still get a reasonable return on its investment. If there is concern about the compatibility of 7 new homes on their property with the neighboring car wash, then there should be the same concern with 16 new homes adjacent to the car wash.

**There is no valid reason to grant the proposed request for changes, and I am apposed to your doing so.**

The proposed changes are a threat to the rest of the neighborhood as well as other low density neighborhoods in Chandler. If this is what the City's elected officials want, I don't think you accurately represent the hopes of the citizens you are supposed to represent. The City and its citizens are well served by a diversity in all the characteristics that make Chandler a special place. I hope Chandler always has an agricultural element to it.

**Please vote "NO" on the proposed changes.**

My wife and I ask you to help us preserve the lifestyle we have chosen in Chandler.

Sincerely,

Scott and Bobbi Waldron

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copying of this communication is strictly prohibited. Please delete if received in error and notify sender. Thank you kindly.





Re: Serenade  
David Lake  
to:  
Erik.Swanson  
09/07/2016 12:34 PM  
Hide Details  
From: David Lake <dlake816@gmail.com>  
To: Erik.Swanson@chandleraz.gov  
History: This message has been replied to.

Erik on this one I just want to speak in opposition to serenade. Also is there anything I need to do formally to trigger a supermajority requirement for the city council should we failed to convince the planning committee not to change the zoning? If they change the zoning won't that remove one of our steps in preventing the school as well?

On Sep 6, 2016 8:44 AM, <Erik.Swanson@chandleraz.gov> wrote:

David,

All is well. Regarding the public hearings, are you wanting to present as a neighbor and speak in opposition to Serenade at the public hearing, or are you wanting to present on your findings from your studies that we discussed a number of months ago after the item gets reviewed by the Planning Commission and City Council?

Regarding the school facility, they met with my colleague Jodie regarding the project and we have expressed our concerns. They have not formally filed anything as of yet, but if they do I will certainly let you know.

Sincerely,

Erik Swanson, Senior City Planner  
Planning Division  
City of Chandler  
ph: 480.782.3063

From: David Lake <dlake816@gmail.com>  
To: Erik.Swanson@chandleraz.gov  
Date: 09/02/2016 05:29 PM  
Subject: Re: Serenade

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Erik,

Hope you are well. I would like to present before the planning commission and the city council if the planning commission approves the zoning change. Also we are being told that there is a push to build a private school on kingbird. I will be fighting that change in zoning as well. Dave

*OPPOSITION*

On Thu, Sep 1, 2016 at 10:27 AM, <[Erik.Swanson@chandleraz.gov](mailto:Erik.Swanson@chandleraz.gov)> wrote:  
All,

I wanted to let you know that the developer has requested to be on the 10/5 Planning Commission and 11/10 City Council hearings, as such, I have placed them on those agendas. You should be seeing an orange 4x8 sign going up. You should also be receiving a postcard from the City by next week. As always, please contact me if you have any questions.

Sincerely,

Erik Swanson, Senior City Planner  
Planning Division  
City of Chandler  
ph: [480.782.3063](tel:480.782.3063)



**2010 Think Green ... Turn off the lights when you leave.**

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serenade and possible school in kingbird

Wes@AZ Lending

to:

Erik.Swanson

09/15/2016 11:15 AM

Hide Details

From: "Wes @ AZ Lending" <wes@azlendingsource.com>

To: <Erik.Swanson@chandleraz.gov>

Erik,

Thank you for returning my call today regarding the rezoning of the area on Alma School and German. I live at 728 W Kingbird and would like the city to know that I oppose any rezoning of our current AG-1 zoning for our neighborhood. I would like the Ag-1 zoning preserved long term to project our neighborhood and the rural lifestyle I have chosen to live.

I will attend the October meeting per your suggestion. I appreciate you taking the time to consider my position.

Respectfully,

Wes Lueck MBA  
480-889-9990 office  
480-889-9991 fax

*OPPOSITION*



Serenade....

eric engel

to:

Rod Jarvis, erik.swanson@chandleraz.gov

10/17/2016 01:49 PM

Hide Details

From: eric engel <engele@yahoo.com>

To: Rod Jarvis <rjarvis@ecllaw.com>, "erik.swanson@chandleraz.gov"  
<erik.swanson@chandleraz.gov>

Please respond to eric engel <engele@yahoo.com>

Erik,

I would like to submit this letter in support of the Serenade project near the Alma School and Germann intersection. The builders/developers have made every effort to comply with requests from the neighboring home owners for fewer lots and adequate buffer zones. There is much opposition from the home owners and I'd like to offer my support as an adjacent home owner and advocate for the project. It is a given that something eventually will be built onto those vacant lots and I do feel that a project such as Serenade in its current form would be good both for the city and neighbors as it would be more attractive and also buffer Germann traffic noise. If you have any questions or would like to talk to me about my support, please don't hesitate to contact me.

I am sending a copy of this email to Rod Jarvis so that he can also see that I am in support.

Eric Engel

480-390-1548

*SUPPORT*









